

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ELIO DIEGUEZ FRIAS, a/k/a Carlos  
Diaz,

Plaintiff,

v.

DARRYL TAYLER, et al,

Defendants.

CASE NO. C14-1690-JCC-JPD

ORDER DISMISSING ACTION

The Court, having reviewed plaintiff's original complaint, plaintiff's proposed amended complaint, and the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge (Dkt. No. 12), and the remaining record, does hereby find and **ORDER:**

(1) The Court **ADOPTS** the Report and Recommendation.

(2) Plaintiff's complaint and this action are **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B).

(3) Plaintiff's motion for leave to amend (Dkt. 10) is **STRICKEN** as moot

(4) The Clerk is directed to send copies of this Order to plaintiff and to the Honorable James P. Donohue.

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1 DATED this 5th day of March 2015.

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8 John C. Coughenour  
9 UNITED STATES DISTRICT JUDGE  
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